

HOUSE BILL 202

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2003 Regular Session
3r1189
CF SB 8

By: **Delegates Lee, Amedori, Anderson, Barkley, Bronrott, Brown, Cryor, Donoghue, Dumais, Dwyer, Feldman, Goldwater, Gutierrez, Kaiser, Kelley, Madaleno, Mandel, McComas, Menes, Montgomery, Murray, Petzold, Quinter, Shank, Simmons, Sophocleus, Taylor, and Vallario**

Introduced and read first time: January 29, 2003

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 19, 2003

CHAPTER _____

1 AN ACT concerning

2 **Crimes - Counterfeiting United States Currency**

3 FOR the purpose of ~~making it unlawful to manufacture with intent to defraud,~~
4 ~~counterfeit, cause to be counterfeited, or willingly aid or assist in counterfeiting~~
5 ~~United States currency; making it unlawful to make, transmit, or have control of~~
6 ~~certain types of images of United States currency with intent to defraud;~~
7 ~~providing criminal penalties for a violation of this Act prohibiting a person, with~~
8 ~~intent to defraud, from manufacturing, counterfeiting, or causing, aiding, or~~
9 ~~assisting in counterfeiting United States currency; prohibiting a person, with~~
10 ~~intent to defraud, from making, scanning, recording, reproducing, transmitting,~~
11 ~~or possessing certain images of United States currency; establishing certain~~
12 ~~penalties; providing that the District Court has jurisdiction that is concurrent~~
13 ~~with a circuit court in certain criminal cases involving the counterfeiting of~~
14 ~~United States currency;~~ and generally relating to the counterfeiting of United
15 States currency.

16 BY repealing and reenacting, without amendments,
17 Article - Criminal Law
18 Section 1-101(c)
19 Annotated Code of Maryland
20 (2002 Volume)

21 BY repealing and reenacting, with amendments,
22 Article - Criminal Law

1 Section 8-604
 2 Annotated Code of Maryland
 3 (2002 Volume)

4 BY adding to
 5 Article - Criminal Law
 6 Section 8-604
 7 Annotated Code of Maryland
 8 (2002 Volume)

9 BY repealing and reenacting, with amendments,
 10 Article - Courts and Judicial Proceedings
 11 Section 4-301(b)(17) and (18) and 4-302(a) and (d)(1)
 12 Annotated Code of Maryland
 13 (2002 Replacement Volume)

14 BY adding to
 15 Article - Courts and Judicial Proceedings
 16 Section 4-301(b)(19)
 17 Annotated Code of Maryland
 18 (2002 Replacement Volume)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article - Criminal Law**

22 1-101.

23 (c) "Counterfeit" means to forge, counterfeit, materially alter, or falsely make.

24 8-604.

25 (A) A PERSON MAY NOT, WITH INTENT TO DEFRAUD:

26 (1) MANUFACTURE UNITED STATES CURRENCY ~~WITH INTENT TO~~
 27 ~~DEFRAUD~~;

28 (2) COUNTERFEIT, CAUSE TO BE COUNTERFEITED, OR WILLINGLY AID
 29 OR ASSIST IN COUNTERFEITING UNITED STATES CURRENCY; OR

30 (3) MAKE, SCAN, RECORD, REPRODUCE, TRANSMIT, OR HAVE IN THE
 31 PERSON'S CONTROL, CUSTODY, OR POSSESSION AN ANALOG, DIGITAL, OR
 32 ELECTRONIC IMAGE OF UNITED STATES CURRENCY ~~WITH INTENT TO DEFRAUD~~.

1 (B) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON
2 CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 10 YEARS OR A FINE
3 NOT EXCEEDING ~~\$1,000~~ \$10,000 OR BOTH.

4 [8-604.] 8-604.1.

5 (a) A person may not knowingly possess, with unlawful intent, or issue
6 counterfeit United States currency.

7 (b) A person who violates this section is guilty of a misdemeanor and on
8 conviction is subject to imprisonment not exceeding 3 years or a fine not exceeding
9 \$1,000 or both.

10 **Article - Courts and Judicial Proceedings**

11 4-301.

12 (b) Except as provided in § 4-302 of this subtitle, the District Court also has
13 exclusive original jurisdiction in a criminal case in which a person at least 18 years
14 old or a corporation is charged with:

15 (17) Violation of § 20-102 of the Transportation Article, whether a felony
16 or misdemeanor; [or]

17 (18) Violation of § 8-801 of the Criminal Law Article; OR

18 (19) VIOLATION OF § 8-604 OF THE CRIMINAL LAW ARTICLE.

19 4-302.

20 (a) Except as provided in § 4-301(b)(2), (6), (7), (8), (9), (10), (11), (12), (13),
21 (14), (15), (16), (17), [and] (18), AND (19) of this subtitle, the District Court does not
22 have jurisdiction to try a criminal case charging the commission of a felony.

23 (d) (1) Except as provided in paragraph (2) of this subsection, the
24 jurisdiction of the District Court is concurrent with that of the circuit court in a
25 criminal case:

26 (i) In which the penalty may be confinement for 3 years or more or
27 a fine of \$2,500 or more; or

28 (ii) Which is a felony, as provided in § 4-301(b)(2), (6), (7), (8), (9),
29 (10), (11), (12), (13), (14), (15), (16), (17), [and] (18), AND (19) of this subtitle.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
31 effect October 1, 2003.

